

Board of Appeals Meeting

700 Doug Davis Drive
Hapeville, GA 30354

January 28, 2021 6:00 PM

Agenda

1. Call to Order
2. Roll Call
Michael Simpson, Chairman
John Stalvey, Vice Chairman
Gabriel Cojocarescu
Rod Mack
Larry Martin
Martha Revelo
William Slocumb
3. Election of Officers
 - 3.I. Vice Chairman
 - 3.II. Chairman
4. Approval of Minutes
 - 4.I. Minutes of December 17, 2020
 1. MINUTES - 12-17-2020_draft
5. New Business
 - 5.I. Coast to Coast Tours, LLC/Willie B. Johnson, Jr. Administrative Appeal
Background:
Willie B. Johnson of Coast to Coast Tours, LLC is requesting an Administrative Appeal for the planner's decision to deny an occupational tax permit for a transportation business to be located at 450 Porsche Avenue, Parcel Identification Number 14-0096-0005-012-6. The property is zoned U-V, Urban Village and is subject to the zoning regulations of 93-11.2-1 of the City of Hapeville Zoning Ordinance.

Staff Comments:
Applicant Comments:
Public Comments:

Documents:
 1. Application - 450 Porsche Avenue_administrative appeal_Redacted
 2. Planners Report 450 Porsche BOA rev
 3. Attachments_450 Porsche Avenue
6. Next Meeting Date - Thursday, February 25, 2021
7. Adjourn



Chairman, Michael Simpson
Vice Chairman, John Stalvey
Gabriel Cojocarescu
Rod Mack
Larry Martin
Martha Revelo
William Slocumb

**Board of Appeals Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354**

December 17, 2020 6:00 PM

MINUTES

1. Call to Order

The meeting was called to order at 6:01 p.m.

2. Roll Call

Michael Simpson, Chairman
John Stalvey, V. Chairman
Gabriel Cojocarescu
Rod Mack
Larry Martin
Martha Revelo
William Slocumb

3. Approval of Minutes

3.I. Minutes of November 19, 2020

MOTION ITEM: Larry Martin made a motion, William Slocumb seconded to approve the minutes of November 19, 2020 as submitted. Motion Carried: 6-0.

4. Public Hearing

4.I. 461 North Central Avenue Variance Request

Background:

Joseph Latimer of Dwarf House Group is requesting variances to allow parking in the supplemental area and increase the maximum restaurant size of 6,000 square feet to 11,326 square feet at 461 North Central Avenue, Parcel Identification Number 140095-00030152. The property is zoned UV, Urban Village and is subject to the zoning regulations under Sections 9311.28 and 9311.23 of the City of Hapeville Zoning Ordinance.

Mr. Latimer requested the following:

- 1) Variance request to allow parking in the supplemental area at 461 North Central Avenue, Parcel Identification Number 14-0096-0003-01-2. There are 12 spaces along the North Central Avenue frontage between the setback line and the

sidewalk.

Sec. 93-11.2-8. - Supplemental area requirements.

Supplemental areas shall meet the following requirements:

- (1) The following may not be located in the supplemental area:
 - e. Parking.

Definition - Supplemental area: The privately held area between the back of the required sidewalk clear zone and the build-to line. Supplemental zones shall only be required along existing public streets.

- 2) Variance request to increase the maximum restaurant size of 6,000 square feet to 11,326 square feet at 461 North Central Avenue, Parcel Identification Number 14-0096- 0003-01-2.

Section 93-11.2-3 Permitted uses

The following are permitted within the U-V zone:

- (9) Restaurants or carry-out restaurants but not including drive-through/drive-in restaurants with a maximum size of 6,000 square feet. Such restaurants shall be allowed to operate no more than six billiard tables upon the premises. Drive-through or drive-in restaurants may be allowed through special permit. The desired configuration for a drive-through or drive-in restaurant in this district is not a stand-alone building but rather part of a larger development and the site plan specifically addresses pedestrian orientation and safety.

The applicant is developing the property as a rebuilt and expanded Dwarf House/Chick-fil-A restaurant. As this is the site of the original Dwarf House, the proposed project incorporates historic elements, "a museum within a restaurant". With these added elements, the building is larger than the 6,000 SF. The project is anticipated to draw customers beyond a typical restaurant and therefore is requesting the parking along North Central (a variance for parking in excess of 110% was approved at the November 2020 Board of Appeals meeting).

The applicant received conditional approval for the Site Plan from the Planning Commission on November 10, 2020 and a recommendation to grant the aforementioned requested variances.

Staff Recommendation:

Planning Commission and staff recommendation is to grant the variances as requested.

Public Comments: None.

MOTION ITEM: John Stalvey made a motion, Martha Revelo seconded to grant the variance request to allow parking in the supplemental area and increase the maximum restaurant size of 6,000 square feet to 11,326 square feet at 461 N. Central Avenue as requested. Motion Carried: 6-0.

6. Next Meeting Date - Thursday, January 28, 2021 at 6PM

7. Adjourn

There being no further discussion, the following action is taken:

MOTION ITEM: John Stalvey made a motion, Martha Revelo seconded to adjourn the meeting at 6:10 p.m. Motion Carried: 6-0.

Respectfully submitted,

Michael Simpson, Chairman

Adrienne Senter, Secretary

ADMINISTRATIVE APPEAL APPLICATION

Applicant Coast to Coast Tours LLC/Willie B. Johnson, Jr.
Mailing Address 1008 Middle Brook Dr. McDonough, GA 30252
Telephone 678-705-3965 Mobile # [REDACTED] Email wjohnson@coasttocoasttours.com
Property Owner(s) 450 Hapeville Holdings LLC/Carolyn Sikes
Mailing Address 4210 Gatewood Lane Duluth, GA 30097
Telephone [REDACTED] Mobile # [REDACTED]
Property Address 450 Porsche Ave. Hapeville, GA 30354
Square Footage of Property 1.16 acres Building Size 7,260 SF Zoning [REDACTED]
Present Land Use Truck service and parking
Decision Requested To be used for travel agency, bus parking and minor repairs.
Applicable Code Section [REDACTED]

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to fully comply with all City of Hapeville Ordinances. I hereby acknowledge that all requirements of the City of Hapeville shall be met. I also acknowledge that I am able to read and write the English language or this document has been read and explained to me and I have fully and voluntarily completed this application. I understand that the making of false statements or writings to the City of Hapeville, Georgia is a felony to pursuant to O.C.G.A. 16-10-20 and that I may be prosecuted for a violation thereof.

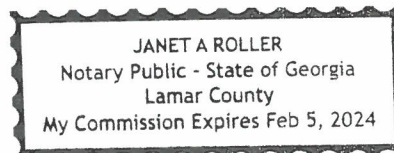
Willie B. Johnson Jr
Applicant Signature

Date: 12/8/2020

Sworn to and subscribed before me

This 8th day of December, 2020.

Janet A. Roller
Notary Public



ADMINISTRATIVE APPEAL APPLICATION

WRITTEN SUMMARY

Describe in detail the decision being appealed. __According to the license from the previous occupants of the property at 450 Porche Ave the business was used for truck service in which trucks were parked and service there.

Coast to Coast Tours business will involve buses being parked at the location. These buses will be used when charter services are requested by customers. We will not be transporting anyone from the actual facility to any location. This will be the main office for the business and only used to dispatch buses to locations for pickup.

Explain how the decision of the Building Official is in error. __Truck Pro used this location to service_trucks. Attached is the 2020 Occupational tax permit to expire on 3/31/2021._____

Identify the grounds for a determination by the Board of Appeals that the decision of the Building Official should be overturned. _Due to the previous use of the building we will be doing the same. We have already started the process of upgrading the building by putting in gravel and new fencing. We have improved the look of the place by having the building pressure washed. The goal of Coast to Coast Tours is to be able to enhance the look of the area around the property so that it will not look like a repair shop.

5

ADMINISTRATIVE APPEAL APPLICATION

PROPERTY OWNER AUTHORIZATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT THE ADDRESS
BELOW THAT IS THE SUBJECT OF THIS APPLICATION:

450 Porsch Avenue

Hapeville, GA 30354

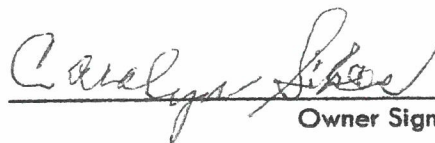
City of Hapeville
County of Fulton
State of Georgia

I AUTHORIZE THE INDIVIDUAL NAMED BELOW TO ACT AS APPLICANT IN FILING AN
APPEAL OF A DECISION BY THE BUILDING OFFICIAL OR OTHER OFFICER OF THE CITY
OF HAPEVILLE CONCERNING THE USE OF THIS PROPERTY.

Name of Applicant Willie B. Johnson, Jr.

Address 1008 Middle Brook Drive McDonough, GA 30252

Telephone [REDACTED]


Owner Signature

Carolyn Sikes
Print Name of Owner

Personally appeared before me this _____ day of _____, 20____.

Notary Public

ADMINISTRATIVE APPEAL APPLICATION

ATTORNEY AUTHORIZATION

Date 12/8/2020

THIS DOCUMENT CERTIFIES THAT AS AN ATTORNEY-AT-LAW, I HAVE BEEN AUTHORIZED BY THE OWNER(S) TO FILE THE ATTACHED APPLICATION FOR AN APPEAL CONCERNING THE PROPERTY LOCATED AT THE FOLLOWING ADDRESS:

450 Porsch Avenue

Hapeville, GA 30354

City of Hapeville
County of Fulton
State of Georgia

Name of Attorney Cinque Axam

Bar No. 812810

Address

P. O. Box 1312

Decatur, GA 30030

Telephone [REDACTED]

CITY OF HAPEVILLE

3468 N FULTON AVE.
HAPEVILLE, GA 30354-1466

COMMERCIAL OCCUPATIONAL TAX PERMIT

LICENSE YEAR: 2020

LICENSE TYPE: TRUCK SERVICE

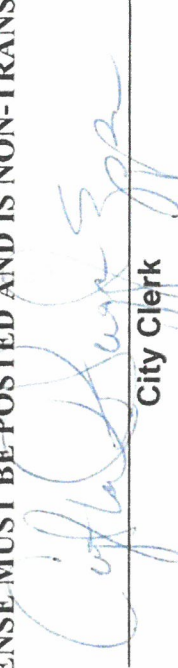
LICENSE NUMBER: 201500006

EXPIRATION DATE: 3/31/2021

ISSUED TO: SERVUS FLEET MANAGEMENT

**LOCATION: 450 PORSCH AVE.
HAPEVILLE, GA. 30354**

THIS LICENSE MUST BE POSTED AND IS NON-TRANSFERABLE



City Clerk

This certificate must be displayed in a conspicuous place in the licensee's establishment. City Hall must be notified of any changes to address, ownership, or licensee. This permit is subject to revocation for cause. In accepting this Permit, the licensee hereby acknowledges and affirms that: a) the information provided to gain this certificate is true, complete and accurate and any inaccuracy may be considered cause for invalidation of this certificate; b) the City of Hapeville may enforce any and all ordinance, regardless of payment of fees or issuance of this certificate; c) it is the responsibility of the licensee to conform with said ordinances in full; and d) Licensee affirms that this certificate has been issued based upon representations made by the Licensee under oath and the Licensee understands that false statement made to the City are punishable as a felony under section 16-10-20 O.C.G.A.



DEPARTMENT OF PLANNING AND ZONING

PLANNER'S REPORT

DATE: November 18, 2020
TO: Tonya Hutson
FROM: Lynn M. Patterson
SUBJECT: **Occupational Tax Permit – 450 Porsche Ave**

BACKGROUND

The City of Hapeville has received an Occupational Tax Permit Application from Willie B. Johnson, Jr. for a transportation business named Coast to Coast Tours, LLC. The business to be located within an existing 7,260 SF building located at 450 Porsche Avenue. The application states there will be no renovations needed at the site.

The business is described as transporting passengers from given locations provided by the client. The application references repair bays. The business appears to utilize charter buses for transportation.

The subject tract is located within the U-V Urban Village Zoning District. The business will have 10 employees. Operating hours will be 9:00 AM – 5:00 PM, Monday through Friday. The applicant states there are 11 parking spaces available. This business will involve customers visiting the site.

The site was previously permitted for a retail and wholesale heavy duty truck and parts and accessories (Planner's report 2/10/2015). Parking of trucks and freight were not allowed and thus the use was limited to retail management office only with no trucks, freight or outdoor storage (office use only).

The application indicates there will be one sign displayed with approximately 80 SF of sign area. All signs require review and permitting.

CODE

ARTICLE 93-11.2 – U-V Zone (Urban Village)

Sec. 93-11.2-1. - Intent.

The U-V district is established in order to:

- (1) Accommodate a mixed-use, urban fabric that preserves neighborhood scale;
- (2) Accommodate residents in the district with pedestrian access to services and employment typical of a live/work community;
- (3) Promote neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) **Discourage land uses that are automobile or transportation related;**

- (6) Exclude industrial uses such as manufacturing, processing and warehousing;
- (7) Promote retail and related commercial uses such as business offices, florists, card shops, antique shops, new apparel shops and banks; and
- (8) Encourage intensified mixed-use with commercial uses on the ground floor and dwellings above.

Sec. 93-11.2-3. - Permitted uses.

The following are permitted within the U-V zone:

- (1) Business and professional offices/agencies, including:
 - a. Architectural.
 - b. Dental.
 - c. Engineering.
 - d. Graphic arts.
 - e. Insurance.
 - f. Legal.
 - g. Manufacturers' representatives.
 - h. Medical.
 - i. Real estate.
 - j. Banks and other financial institutions (not including pawnshops and check cashing businesses).
- (2) Institutional uses, including:
 - a. Art studios.
 - b. Business schools.
 - c. Colleges and universities.
 - d. Dance studios.
 - e. Libraries and other public buildings.
 - f. Professional schools (including music/dance studios).
 - g. Technical schools.
 - h. Playgrounds, parks, and buildings open on a noncommercial basis for recreation only. Uses of this nature are exempt from being within a completely enclosed building.
- (3) Retail; sales, with a maximum floor area of 6,000 square feet, including:
 - a. Antique shops.
 - b. Apparel shops (offering new merchandise).
 - c. Appliance, radio and television sales outlets and services, including incidental repairing where all repair is conducted out of customers' view and is limited to 25 percent of the business's floor area (offering new merchandise).
 - d. Baking shops.
 - e. Book, card and stationary stores.
 - f. Computer sales and repairs (offering new or refurbished merchandise). These uses are subject to a finding by the city planning commission that the proposed method of establishment and operation would not adversely impact the use and enjoyment of surrounding properties nor negatively affect the character of the zone. For purposes of this subsection, refurbished shall mean merchandise intended for retail that has been tested and certified by an authorized service center of the manufacturer or otherwise restored to like-new working condition and appearance and then re-packaged and labeled as a refurbished product. Such merchandise shall appear new and be free from all defects such as major scratches, dents or other forms of cosmetic damage.
 - g. Florist shops.
 - h. Furniture stores (offering new merchandise).
 - i. Hobby shops (offering new merchandise).
 - j. Jewelry stores (offering new or used merchandise).
 - k. Opticians and optical stores.
 - l. Photography stores.
 - m. Printing shops.

- (4) Retail; drugstores, pharmacies and soda shops with a maximum floor area of 15,000 square feet.
- (5) Retail; sales, with a maximum floor area of 20,000 square feet, including:
 - a. Department stores (offering new merchandise).
 - b. General merchandise stores (selling new merchandise).
 - c. Hardware stores.
 - d. Office supply stores.
- (6) Retail; grocery stores with a minimum floor area of 30,000 square feet.
- (7) Personal services, with a maximum floor area of 6,000 square feet, including:
 - a. Barbershops and beauty shops.
 - b. Data processing facilities.
 - c. Laundry and dry cleaning shops.
 - d. Tailor shops.
 - e. Travel agencies.
- (8) Bed and breakfast inns without kitchens or cooking facilities in rooms used for guest occupancy.
- (9) Restaurants or carry-out restaurants but not including drive-through/drive-in restaurants with a maximum size of 6,000 square feet. Such restaurants shall be allowed to operate no more than six billiard tables upon the premises. Drive-through or drive-in restaurants may be allowed through special permit. The desired configuration for a drive-through or drive-in restaurant in this district is not a stand-alone building but rather part of a larger development and the site plan specifically addresses pedestrian orientation and safety.
- (10) Theaters (with a maximum size of 8,000 square feet) which do not provide entertainment as defined in section 11-2-1 of this Code, including adult films, adult stage productions, adult videos or other adult entertainment performances.
- (11) Customary accessory buildings and uses.
- (12) Public, private and parochial schools operated for the purpose of instructing in elementary and high school general education subjects. In addition, other schools are allowed subject to a finding by the city planning commission that the proposed method of establishment and operation would not adversely impact the use and enjoyment of surrounding properties.
- (13) Churches and other places of worship.
- (14) Single-family detached dwellings, subject to the density restrictions in subsection (19) of this section.
- (15) Single-family attached dwellings with at least two units attached, but no more than 12 and subject to the density restrictions in subsection (19) of this section.
- (16) Group homes, subject to the restrictions in section 93-2-19.
- (17) Adult daycare facilities.
- (18) Combination of residential and business applications within a single structure, provided that each use must have a separate entrance directly accessible from the required sidewalk or within a jointly used lobby.
- (19) Bail bond offices, subject to section 93-2-23.
- (20) Check cashing businesses, subject to section 93-2-23.
- (21) Pawnshops, subject to section 93-2-23.
- (22) Private probation offices, subject to section 93-2-23.
- (23) Residential density limitations shall be as follows:
 - a. The maximum permitted residential density of a master planned development shall be 40 units per acre as calculated based on the sum of all residential uses and the total acreage of the project, including multiple parcels or city blocks, but not rail lines, public streets, or other areas not owned by the applicant;
 - b. The built residential density of individual parcels or blocks within a master planned development may be greater or less than 40 units per acre, provided the project's combined average maximum permitted residential density is not exceeded; and
 - c. Any changes to an approved site plan shall require approval of the city planning commission and shall be reviewed based on the geographic extent of the original approved site plan, shall not exceed maximum density requirements of the original application, and shall indicate all built or planned improvements.

- (24) Veterinarians and animal hospitals.

Sec. 93-11.2-4. - Nonpermitted uses.

The following uses, while permitted in other areas within the city, are not permitted in the U-V zone.

- (1) Reserved;
- (2) Adult entertainment establishments, as defined by section 11-2-1 of this Code, including, but not limited to, adult bookstores, video or DVD adult rental or purchase, adult movie or adult live theaters, adult gifts and novelties, and other venues for viewing other adult entertainment through any other electronic or other technological medium;
- (3) Automotive repair shops, dealerships and service stations, boat sales, auto parts stores;
- (4) Tattoo parlors;
- (5) Palm reading and fortunetelling, including psychic and crystal ball readings;
- (6) Reserved;
- (7) Carnivals;
- (8) Stables;
- (9) Shooting galleries, firearm, and archery ranges;
- (10) Firearms dealers;
- (11) Modeling agencies;
- (12) Massage parlors;
- (13) Bathhouses;
- (14) Hypnotists;
- (15) Handwriting analysis;
- (16) Escort services;
- (17) Bazaars;
- (18) Specialty shops;
- (19) Flea markets;
- (20) Junk stores;
- (21) Variety shops;
- (22) Labor pools;
- (23) Health clinics;
- (24) Extended stay motels/hotels;
- (25) Nursing homes;
- (26) Personal care homes; and
- (27) Kennels.

Sec. 93-11.2-5. - Conditional uses.

Specific uses may be permitted as conditional uses, provided conformance to the purpose and intent of the applicable code. Such uses are:

- (1) SIC Code 5261, lawn and garden supplies with a maximum floor area of 20,000 square feet, provided:
 - a. No outdoor storage of merchandise in the supplemental area.
 - b. Outdoor storage in the rear yard, only, is permitted, provided storage areas are completely screened.
- (2) SIC Code 5411, grocery stores and food stores with a floor area less than 30,000 square feet;
- (3) SIC Code 7011, hotels and motels;
- (4) SIC Code 7641, reupholstery and furniture repair with a maximum floor area of 6,000 square feet;
- (5) Laundry and dry cleaning shops with a maximum floor area of 6,000 square feet;
- (6) Parking lots (except for municipal parking lots benefiting the U-V zone); and
- (7) Kindergarten schools as defined under section 93-1-2, and the following facilities as defined herein:
 - a. "Day care center" or "center" means any place operated by a person, society, agency, corporation, institution or group wherein are received for pay for a group care, for fewer than 24 hours per day without transfer of legal custody, 19 or more children under 18 years of age.
 - b. "Group day care home" means any place operated by any person, partnership, association or corporation wherein are received for pay for group care not less than seven or more than 18 children under 18 years of age for less than 24 hours without transfer of legal custody.

- c. "School-age group day care home" means a group daycare home, or part thereof with separate facilities and a separate license, which provides daytime care exclusively to school-age children before and/or after the normal school day. Such programs may operate a full-day program solely during the regular school year during those periods when school is not in session.
- (8) Spas. For the purpose of this section, a spa shall be defined as a business location where massages by certified masseurs, makeovers, body wrapping, hair removal, saunas, manicures, pedicures and non-surgical cosmetic procedures are performed. Any combination of at least three or more of the above listed uses shall occur in the location.
- (9) All multifamily uses shall be conditional uses in U-V zone. In addition to meeting the conditional use provisions, all multifamily uses in U-V shall comply with [subsection] 93-11.2-3(19).
- (10) Research and development facilities that meet the following criteria:
 - a. Facility does not emit or produce designated hazardous waste or hazardous waste as defined in O.C.G.A. § 12-8-62.
 - b. Facility cannot conduct outside research or development activities or storage units.
 - c. The conditional use permit will be issued for the specific business and specific parcel that has applied; all new or subsequent business will have to reapply.

Parking Requirements

- i. Three parking spaces for every 1,000 square feet of enclosed commercial/office floor area.

FINDINGS

The proposed use of a transportation/charter bus company is not permitted in the U-V, Urban Village Zoning District. Specifically, the intent of the District "**discourage land uses that are automobile or transportation related**". While the planner may identify substantially similar uses not listed, the transportation business is not similar to any of the permitted uses or the intent of the district. The Occupational Tax Permit **can not** be approved as submitted.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 96 of the 14th District of Fulton County, Georgia, and containing 1.16 acres as per plot of survey for Brian Jackson by Byron D. Henning, Registered Land Surveyor, dated February 14, 1975 and revised July 5, 1977 and being more particularly described as follows:

Beginning at an from pin located on the southwesterly right-of-way of South Central Avenue one hundred forty (140) feet northwesterly as measured along the southwesterly right-of-way of South Central Avenue from the intersection of the southwesterly right-of-way of South Central Avenue with the northwesterly right-of-way of South Street; thence running north 56°00' west along the southwesterly right-of-way of South Central Avenue, one hundred eighty (180) feet to an iron pin; thence running south 34°7'00' west two hundred eighty (280) feet to an from pin; thence running south 55°58'28' east, one hundred eighty (180) feet to an iron pin; thence running north 34°7'8' east two hundred eighty and eight hundredths (280.08) feet as to from pin and the POINT OF BEGINNING and being improved property.

Property Profile for 450 HENRY FORD II AVE

Property Tax Information

Tax Year	2021
Parcel ID	14 0096000050126
Property Address	450 HENRY FORD II AVE
Owner	450 HAPEVILLE HOLDINGS LLC
Mailing Address	450 PORSCHE AVE ATLANTA GA 30354
Total Appraisal	\$538,000
Improvement Appraisal	\$140,900
Land Appraisal	\$397,100
Assessment	\$215,200
Tax District	30Z
Land Area	1.157 ac
Property Class	Industrial Lots
Land Use Class	Auto Service Garage
TAD	Hapeville TAD
CID	

Zoning

Zoning Class	not available
Overlay District	
2035 Future Development	not available

Political

Municipality	Hapeville
Commission District	6
Commission Person	Joe Carn
Council District	LRG
Council Person	Mike Rast, Travis Horsley, Mark Adams, Chloe Alexander
Voting Precinct	HP01
Poll Location	Hoyt Smith Center, 3444 N Fulton Ave
Congressional District	005
State Senate District	036
State House District	060

School Zones

Elementary School	Hapeville
Middle School	Paul D West
High School	Tri-Cities

Other Information

Zip Code	30354
Census Tract	108
In Less Developed Census Tract	No

Aerial View



Property Map

Vicinity Map



Department of Planning & Zoning
PLANNER'S REPORT

DATE: January 12, 2021
TO: Adrienne Senter
FROM: Lynn Patterson
RE: Appeal for Occupational Tax Permit Denial, 450 Porsche Ave

BACKGROUND

Application

The City of Hapeville received an application to the Board of Appeals for the denial of the planner's decision that a proposed use was not permitted in the applicable zoning district. The applicant, Coast to Coast Tours LLC/Willie Johnson, Jr., applied for an occupational tax permit for a transportation business named Coast to Coast Tours LLC to be located at 450 Porsche Avenue. The application lists transporting passengers from given locations provided by the client as the daily functions. Other activities include administrative offices, bus parking, and maintenance. Also stated in the application regarding storage was a storage area in the office near the bays to be used for repairs. The occupational tax permit application lists the prior use of the building as truck maintenance (Sike Truck Maintenance [sic]).

The appeal application indicates the desired permitted use as a travel agency, bus parking, and minor repairs. The applicant states the business will involve busses being parked at the location and that the busses will be used when charter services are requested by customers. The facility will be the main office for the business and only used to dispatch buses to the desired location for pickup.

The applicant claims Truck Pro used this location to service trucks and attached a copy of an Occupational Tax Permit to expire March 2021. The application states that parts storage will be located on the property.

BOARD OF APPEALS

ARTICLE 3. - BOARD OF ZONING APPEALS

Sec. 87-3-3. - Powers and duties.

(a) *Generally.* The board of appeals shall have the following powers and duties:

- (1) ***Administrative review.*** To hear and decide appeals where it is alleged there is error on any order, requirement, decision or determination of the building official in the enforcement of this chapter.
- (2) ***Variances.*** To authorize, upon appeal in specific cases, those variances from the provisions of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done. A variance may be granted in any individual cases of practical difficulty or unnecessary hardship only upon a finding by the board of appeals that:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

- b. The application of this chapter to this particular piece of property would create an unnecessary hardship;
 - c. Such conditions are peculiar to the particular piece of property involved; and
 - d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.
- (b) ***Use variance.* A variance may not be granted for a use of land or building. Specifically, the board of appeals shall not have authority to permit by variance in any district a use of land or building not otherwise permitted in the district. Further, the board of appeals shall not have authority to permit by variance an increase in the density on any lots as permitted in the district regulations.**
- (c) *Procedure for requesting a variance.* Requests for a variance shall be filed in writing with the building official. Within ten days after receiving a request for a variance, the building official shall:
- (1) Send the request, with any comments deemed necessary, to the board of appeals; and
 - (2) Cause to have posted in a conspicuous place on the property one or more signs, each of which shall be not less than 12 square feet in area, and each of which shall contain information as to the proposed change and the date and time of the public hearing before the board of appeals.

GROUND FOR DENIAL

Zoning District

1. The U-V Zoning District discourages land uses that are automobile or transportation related (Sec- 11.2.1.5).
2. The U-V Zoning District expressly does not permit similar uses- auto related repair, etc.
3. The I-1 Industrial District is a district where similar uses are permitted- automobile servicing and repairing.

Code

ARTICLE 11.2. - U-V ZONE (URBAN VILLAGE)

Sec. 93-11.2-1. - Intent.

The U-V district is established in order to:

- (1) Accommodate a mixed-use, urban fabric that preserves neighborhood scale;
- (2) Accommodate residents in the district with pedestrian access to services and employment typical of a live/work community;
- (3) Promote neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) Discourage land uses that are automobile or transportation related;**
- (6) Exclude industrial uses such as manufacturing, processing and warehousing;
- (7) Promote retail and related commercial uses such as business offices, florists, card shops, antique shops, new apparel shops and banks; and
- (8) Encourage intensified mixed-use with commercial uses on the ground floor and dwellings above.

Sec. 93-11.2-4. - Nonpermitted uses.

(3) Automotive repair shops, dealerships and service stations, boat sales, auto parts stores;

Sec. 93-15-3. - Permitted uses.

The following uses are permitted within any I-1 zone:

(2) Automobile servicing and repairing.

Property and Occupational Tax Permit History

1. The property (450 Henry Ford Boulevard) was zoned Industrial until 2006 when the City Council rezoned the entire area to U-V, Urban Village, a mixed use zoning designation. At that time, any existing use, including the Sikes Fleet Services heavy truck repair was considered non-conforming and subject to the Code (Sec. 93-3-2).
2. Sikes Fleet Services Inc. did not renew their occupational tax permit for heavy duty truck repair after 2014. The account was terminated March 2015. **The non-conforming use of heavy duty truck repair was considered abandoned as of September 2015** (Sec. 93-3-6.6).
3. In February 2015, Truck Pro LLC applied for an occupational tax permit for a business named Servus Fleet Management. The 2015 application states the type of business was Retail/Wholesale Heavy Duty Truck Parts and Accessories and confirms the primary function of the business as retail (see Application).
4. The City Planner's review (February 10, 2015) of the Servus Fleet Management occupational tax permit application stated the following:

The property is zoned U-V, Urban Village. Sec. 93-11.2-3 reprinted below provides for retail sales as a permitted use in the U-V zone. The application states that the type of business proposed is retail and wholesale heavy duty truck parts and accessories with 7,264 square feet, indicating the business is a retail use as permitted in Sec. 93-11.2-3 permitted uses of the ordinance. **However, parking of trucks and freight are not allowed in the ordinance. Such operations and storage are not permitted in the U-V zone and the use must be limited to retail management office only, with no trucks, freight or outdoor storage.**

The occupational tax permit application should be approved, subject to the activity on the premises being no trucks. no on-premises storage of building materials. freight or contractor tools and no outdoor storage allowed. Office Use. Only. (Bold in Planner's report)

5. The Occupational Tax Permit Billing Statement for Servus Fleet Management since 2015 listed the license type as "Auto Sales" **not** as "Truck Service" or "Heavy Duty Truck Repair". A similar Billing Statement has been sent every year with the renewal to Servus Fleet Management.
6. The City has researched and cannot locate nor reproduce the Occupational Tax Permit Certificate issued with the term "Truck Service" in its records for Servus Fleet Management.

Code

ARTICLE 3. - NONCONFORMING USES

Sec. 93-3-2. - Nonconforming uses permitted.

Except as herein specified in section 93-3-11, **the lawful use of any building or land existing at the time of the enactment of the chapter may be continued, although such use does not conform to the provisions of this chapter.** Provided that properties that have been developed for a minimum of 20 years may be used in the manner as originally developed or used within a minimum of 20 years, provided that no expansion on the building footprint or floor area may be made and that the use is permitted in the zone assigned to the property with regards to the area of parking, floor area and sidewalk width requirements.

Sec. 93-3-6. - Abandonment.

Whenever a nonconforming use has been discontinued for a period of six months, that use shall not thereafter be reestablished, and any future use shall be in conformity with the provisions of this chapter. The following factors shall be utilized in determining whether a nonconforming use has been discontinued:

- (1) Dilapidation or significant disrepair such as broken windows, peeling paint, roof deterioration, or other conditions or deficiencies that constitute a code violation;
- (2) Unkempt lawn or poor maintenance of plants, trees, or other landscape materials;
- (3) Poorly maintained parking surfaces or driveways;
- (4) Inoperable or unregistered vehicles or vehicles otherwise in disrepair;
- (5) Disconnection of electrical power or public water service at the request of the owner;
- (6) Failure of the owner to maintain an occupational tax permit, as applicable;**
- (7) Revocation of a certificate of occupancy for a period of six months.

Notwithstanding any such abandonment, a property that has been developed for a minimum of twenty years at the time of abandonment may conform to the parking, floor width area, and sidewalk width requirements as originally developed upon its re-use.

SUMMARY

The duties of the Board of Appeals in an administrative appeal is to determine whether there was there an error on any order, requirement, decision or determination of the building official in the enforcement of this chapter.

The Planner issued a denial for compliance with the City's Zoning Ordinance for 450 Porsche as the proposed use of transportation and bus repair is not permitted in the U-V District and any prior use of the site for heavy duty truck repair had been abandoned in 2015 with the expiration of the Occupational Tax Permit under Sikes Fleet Maintenance. The 2015 approval of the occupational tax permit was clear that the approved use under Servus Fleet Management was office use only with no all trucks, no outdoor storage, no freight or contractor tools, etc.

In researching the Code, the history of the property, and the history of the occupational tax permits, the Planner believes there has been no error in the decision to deny compliance with the City's Code of Ordinances.

store #142

Occupational Tax Certificate
Application Form

City of Hapeville
P.O. Box 82311
Hapeville, Georgia 30354
(404) 669-2100 -phone
(404) 669-2113 -fax

Office Use Only

NAICS Code _____
Certificate # 20150006
Date 3-2-15
Fee 2,190.80

Calendar Year 2015
FEB 05 2015

15-OTC-02-005

Tax C/401

Please complete ALL Sections. Occupational Tax will be based on information supplied on this application.

Copy of Driver's License/Picture ID is required.

Name of Business Servus Fleet Management

Check one: ☐ Single Proprietor ☒ Corporation (proof required) ☐ Partnership ☐ Non-Profit (proof required)

Type of Business Retail / Wholesale Heavy Duty Truck Parts & Accessories

Name of Applicant Truck Pro, LLC

Business Location 450 Porsche Avenue ^{Hapeville, GA} 30354 Suite Number _____

Mailing Address 1610 Century Center Pkwy, Ste 107 Memphis, TN 38134

Local Phone Numbers: _____ Business _____ Fax _____
() _____ Residence () _____ Cellular _____

Email address: Cherry.Evans@truckpro.com Web Site: _____

Federal Tax ID. Number _____ State Tax ID. Number _____

Do You Own or Lease this building? _____

If Leasing/Renting:
Property Owner (s) _____

Mailing Address _____

Telephone _____ Cell Phone/Pager _____

Describe the Primary Function of Business*:

- | | | | |
|--|---|---|--|
| ☐ Agriculture | ☐ Wholesale | ☐ Real Estate | ☐ Health Care |
| ☐ Mining | ☒ Retail | ☐ Professional | ☐ Arts/Entertainment |
| ☐ Utilities | ☐ Transportation/Warehouse | ☐ Management Co. | ☐ Accommodation/Foods |
| ☐ Construction | ☐ Information | ☐ Administrative | ☐ Public Administration |
| ☐ Manufacturing | ☐ Finance/Insurance | ☐ Educational | ☐ Other _____ |

Gross Receipts – Gross Receipts from previous calendar year

Yearly Total Even Dollar Business Receipts: \$ _____ Number of employees associated with business? 7
(New businesses, estimate 1 year total) (Minimum of 1 - one)

Certain Practitioners of Professions may elect to pay \$300.00 per practitioner in lieu paying a tax on gross receipts. If you are eligible, and if you and all members of your firm elect to pay the flat per practitioner tax this year, check below and you will be charged accordingly.

_____ I ELECT TO PAY A FLAT TAX IN LIEU OF REPORTING GROSS RECEIPTS AND PAYING A TAX BASED ON GROSS RECEIPTS.

Please indicate the number of practitioners next to the appropriate type of professional.

- | | | |
|-------------------|------------------------------------|------------------------------------|
| ____ Lawyer | ____ Optometrist | ____ Public accountant |
| ____ Physician | ____ Psychologist | ____ Embalmer |
| ____ Osteopath | ____ Veterinarian | ____ Funeral Director |
| ____ Chiropractor | ____ Landscape architect | ____ Engineers, Civil, Mech., Etc. |
| ____ Podiatrist | ____ Land surveyor | ____ Architects |
| ____ Dentist | ____ Practitioner of physiotherapy | ____ Therapist/Counselors |

Is business carried on under a trade name other than the one shown? No ☒ Yes ☐

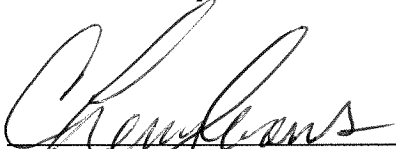
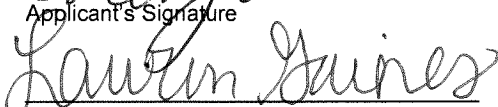
Were you required to obtain a certificate in any other location? No ☒ Yes ☐ If yes, where? _____

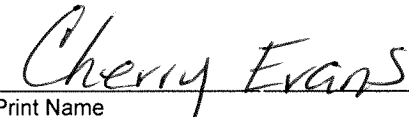
Name of Business Owners/CEO & Residence Address:

Name	Residence Address	Social Security Number
Steve B Jordan	1610 Century Center Pkwy Ste 107	Memphis, TN 38134

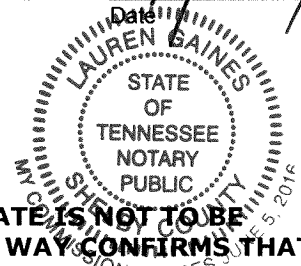
I hereby make application for a renewal of an Occupational Tax Certificate for the City of Hapeville. I do hereby swear or affirm the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that The City of Hapeville reserves the right to enforce any and all ordinances regardless of payment of occupational tax and further that it is my / our responsibility to conform with said ordinances in full. I hereby acknowledge that all requirements shall be adhered to. I agree that should I elect to have a sign at this location, I will make application for a sign permit prior to erecting or placing the same upon the property. I can read the English language and I freely and voluntarily have completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville pursuant to O.C.G.A. 16-10-20

Please verify ALL SECTIONS ARE COMPLETE – any missing information will constitute an incomplete application.


Applicant's Signature

Notary Public


Print Name
01/29/2015
Date

Seal:



THE ISSUANCE OF A BUSINESS OCCUPATIONAL TAX CERTIFICATE IS NOT TO BE CONSIDERED AS AN APPROVAL OF SAID BUSINESS USE AND IN NO WAY CONFIRMS THAT SAID BUSINESS MEETS THE ZONING OR OTHER REQUIREMENTS OF THE CITY OF HAPEVILLE. FURTHER, ISSUANCE OF AN OCCUPATIONAL TAX CERTIFICATE NEITHER WAIVES NOR PREVENTS THE APPLICABILITY OF ANY LAW OR ORDINANCE. NOR WILL SUCH CERTIFICATE PREVENT THE ENFORCEMENT OF ANY LAW OR ORDINANCE.

*****SEND NO MONEY. YOU WILL BE BILLED FOR THE AMOUNT DUE.*****

For Office Use Only

Certificate# 2015006
Amt. Due 2,190.80
Amt. Paid 2,190.80
Date Paid 3/18/15
Issued _____
Notes: _____



Occupational Tax Certificate
Application Form

Community Service Information

Will this business occupy an existing building/space? Yes ☒ No ☐
Square footage of building/space 7264 Will any construction be required to make the building suitable for your business?
Yes ☐ No ☒ If so, please describe the renovations you intend to make _____

What is the estimated cost for the proposed renovations? \$ [REDACTED]

Will the business operation involve customers visiting the site? Yes ☒ No ☐ If so, how many paved parking spaces do you
have on the site? 12 Will you be sharing parking with another business? Yes ☐ No ☒ If so, give the name of the
business and type of business _____

Normal hours and days of operation? 24 hours / 6 days a week

Prior use of this building/site? _____

Business Name _____

What other business activities are operating in this building? Only Service

What additional business activities other than those described above will take place? N/A

Is anyone living in any portion of the building? Yes ☐ No ☒ If yes, where? _____
How many persons are living in the building? _____

Will there be any signs displayed? Yes ☒ No ☐ If so, how many signs do you anticipate? 1 Describe the sign(s) by
square footage? _____

Will there be storage of merchandise or other articles stored on the property? Yes ☒ No ☐ If so, what area of the property will be used
for storage? only parts storage

Will there be any merchandise or other articles displayed for advertising purposes?
Yes ☐ No ☒

Will any activities involve the use of chemicals, machinery or matter of energy that may create or cause to be created, noise, noxious odors or
hazards that will endanger the health, safety or welfare of the community? Yes ☐ No ☒

CITY OF HAPEVILLE
EMERGENCY CONTACT FORM

Name of Business Servus Fleet Management,
Business Address 450 Porsche Avenue Hapeville, GA 30354
Business Phone (404) 763-4049 - Jason
Business Owner(s) Truck Pro, LLC
Owner's Phone [REDACTED]
Building Owner _____
Building Owner Phone _____

Emergency Contacts

Someone (not including owner of business) who can gain access to the business after normal business hours in case of:
Fire, Burglar Alarm or other Emergency

1. Name David Green (Area Manager)
Phone# [REDACTED]
2. Name _____
Phone# _____
3. Name _____
Phone# _____

O.C.G.A. § 50-36-1(e) (2) Affidavit

By executing this affidavit under oath, as an applicant for a (n) Occupation Tax Certificate [type of public benefit], as referenced in O.C.G.A. § 50-36-1, from City of Hapeville [name of government entity], the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) X I am a United States citizen.
- 2) _____ I am a legal permanent resident of the United States.
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

Drivers License

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in Memphis (city), Tennessee (state)

Chengboans
Signature of Applicant

Cherry Evans
Printed name of Applicant

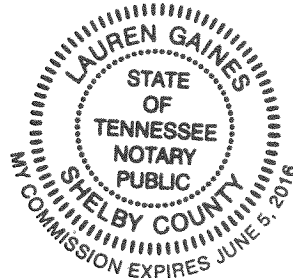
SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

29 DAY OF 01, 2015

Lauren Gaines
NOTARY PUBLIC

My Commission Expires:

June 5, 2016





OCCUPATIONAL TAX PERMIT

TruckPro LLC, DBA
 Establishment Servus Fleet Management
1610 Century Center Parkway
 Address Cherry Evans
Contact Person
[REDACTED]
Telephone #

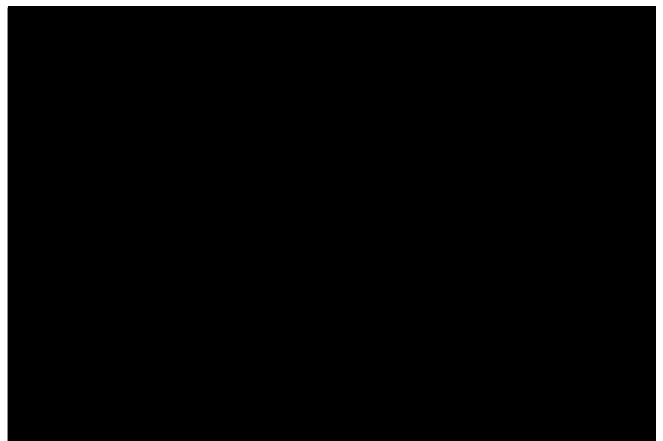
Zoning: U-V: Urban Village
 Issue Date: February 27, 2015

C.O #: 15-CO-02-004

Special Conditions: See Planner's Report Attached

The following signatures are required prior to obtaining a license

Planning & Zoning Manager	404-669-8662	<u>BJ 2/10/15</u>
Fire Department	404-766-4399	<u>BCE 2-27-2015</u>
Building Inspector	404-669-2120	<u>N/A</u>
Permits, Inspections & Certificate of Occupancy	404-669-2120	<u>AL 2/27/15</u>
Occupation Tax Clerk	404-669-2104	_____
Police Department	404-669-2153	<u>N/A</u>



Department of State: Division of Corporations

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Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

<u>File Number:</u>	3443715	<u>Incorporation Date /</u>	10/09/2001
		<u>Formation Date:</u>	(mm/dd/yyyy)
<u>Entity Name:</u>	TRUCKPRO, LLC		
<u>Entity Kind:</u>	LIMITED LIABILITY COMPANY (LLC)	<u>Entity Type:</u>	GENERAL
<u>Residency:</u>	DOMESTIC	State:	DE

REGISTERED AGENT INFORMATION

Name:	THE CORPORATION TRUST COMPANY		
Address:	CORPORATION TRUST CENTER 1209 ORANGE ST		
City:	WILMINGTON	County:	NEW CASTLE
State:	DE	Postal Code:	19801
Phone:			

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like ☒ Status ☐ Status, Tax & History Information

To contact a Delaware Online Agent [click here](#).

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State of Delaware
Secretary of State
Division of Corporations
Delivered 03:47 PM 11/02/2011
FILED 03:47 PM 11/02/2011
SRV 111160176 - 3443715 FILE

CERTIFICATE OF FORMATION

OF

TRUCKPRO, LLC

This Certificate of Formation of TRUCKPRO, LLC (the "Company") has been duly executed and is being filed by an authorized person to form a limited liability company under the Delaware Limited Liability Company Act (6 Del. C. § 18-101, et seq.), as amended from time to time.

1. Name. The name of the limited liability company formed hereby is:

"TRUCKPRO, LLC".

2. Registered Office. The address of the registered office of the Company in the State of Delaware is 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware 19801.

3. Registered Agent. The name and address of the Company's registered agent for service of process on the Company in the State of Delaware is The Corporation Trust Company, 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware 19801.

4. Effective Time. This Certificate of Formation shall be effective upon its filing with the Secretary of State of the State of Delaware.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation this 2nd day of November, 2011.

By: Christopher D. Whalen
Name: Christopher D. Whalen
Authorized Person

Delaware

PAGE 2

The First State

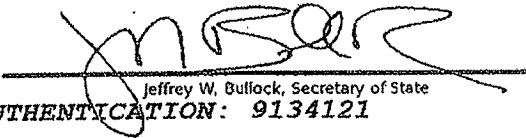
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND
CORRECT COPY OF CERTIFICATE OF FORMATION OF "TRUCKPRO, LLC"
FILED IN THIS OFFICE ON THE SECOND DAY OF NOVEMBER, A.D. 2011,
AT 3:47 O'CLOCK P.M.



3443715 8100V

111160176

You may verify this certificate online
at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 9134121

DATE: 11-03-11

Occupational Tax Permit Review

Servus Fleet Management

Type of Business: Retail/Wholesale Heavy Duty Truck Parts & Accessories

450 Porsche Avenue

Truck Pro LLC

404.252.4394

The property is zoned U-V, Urban Village. Sec. 93-11.2-3 reprinted below provides for retail sales as a permitted use in the U-V zone. The application states that the type of business proposed is retail and wholesale heavy duty truck parts and accessories with 7,264 square feet, indicating the business is a retail use as permitted in Sec. 93-11.2-3 permitted uses of the ordinance. However, parking of trucks and freight are not allowed in the ordinance. Such operations and storage are not permitted in the U-V zone and the use must be limited to retail management office only, with no trucks, freight or outdoor storage.

The occupational tax permit application should be approved, subject to the activity on the premises being no trucks, no on-premises storage of building materials, freight or contractor tools and no outdoor storage allowed. Office Use, Only.

Sec. 93-11.2-3. - Permitted uses.

The following are permitted within the U-V zone:

- (5) Retail; sales, with a maximum floor area of 20,000 square feet, including:
 - a. Department stores (offering new merchandise).
 - b. General merchandise stores (selling new merchandise).
 - c. Hardware stores.
 - d. Office supply stores.

The occupational tax permit application should be approved subject to compliance with all state, federal and local laws.



SERVUS FLEET MANAGEMENT
1610 CENTURY CENTER PKWY.
STE. 107
MEMPHIS TN 38134

Occupational Tax Permit Billing Statement

Date: March 2, 2015

To Whom It May Concern:

This letter is to inform you of the cost of the license or permit with the City of Hapeville Georgia. Renewal must be completed no later than the expiration date listed below. Penalties and interest will be assessed for late payment.

Please make sure to note any changes to the information as needed.

License Number:	20150006
Expiration Date:	March 31, 2016
Name of Business:	SERVUS FLEET MANAGEMENT
Business Location:	450 PORSCHE AVE.
License Type:	AUTO SALES

TAX CLASS 1 \$ 2,165.80

ADMIN FEE COMMERCIAL \$ 25.00

Total Fees:	\$ 2,190.80
Penalty:	\$ 0.00
Interest:	\$ 0.00
Total Due:	\$ 2,190.80

Please indicate number of employees (including owner): _____

You can renew your permit by mail by noting any changes and returning this form to the City Clerks office to the address below; or you can renew in person in the City Clerks office in City Hall.

City of Hapeville
Business License
3468 N. Fulton Ave
Hapeville, GA 30354

To be in compliance with the ordinances, please have your license renewed by the expiration date. If you have any questions, please contact us at (404) 669-2105.

CITY OF HAPEVILLE

3468 N FULTON AVE.
HAPEVILLE, GA 30354-1466

COMMERCIAL OCCUPATIONAL TAX PERMIT

LICENSE YEAR: 2020

LICENSE TYPE: AUTO SALES

LICENSE NUMBER: 20150006

EXPIRATION DATE: 3/31/2021

ISSUED TO: SERVUS FLEET MANAGEMENT

**LOCATION: 450 PORSCHE AVENUE
HAPEVILLE, GA 30354**

THIS LICENSE MUST BE POSTED AND IS NON-TRANSFERABLE

City Clerk

This certificate must be displayed in a conspicuous place in the licensee's establishment. City Hall must be notified of any changes to address, ownership, or licensee. This permit is subject to revocation for cause. In accepting this Permit, the licensee hereby acknowledges and affirms that: a) the information provided to gain this certificate is true, complete and accurate and any inaccuracy may be considered cause for invalidation of this certificate; b) the City of Hapeville may enforce any and all ordinance, regardless of payment of fees or issuance of this certificate; c) it is the responsibility of the licensee to conform with said ordinances in full; and d) Licensee affirms that this certificate has been issued based upon representations made by the Licensee under oath and the Licensee understands that false statement made to the City are punishable as a felony under section 16-10-20 O.C.G.A.

**Occupational Tax Certificate
Application Form**

City of Hapeville
P.O. Box 82311
Hapeville, Georgia 30354
(404) 669-2100 -phone
(404) 669-2113 -fax

Office Use Only

NAICS Code _____

Certificate # _____

Date _____

Fee _____

Calendar Year 2020
OCT 05 2020

Please complete ALL Sections. Occupational Tax will be based on information supplied on this application.
Copy of Driver's License/Picture ID is required.

Name of Business Coast to Coast Tours LLC

Check one: ☒ Single Proprietor ☐ Corporation (proof required) ☐ Partnership ☐ Non-Profit (proof required)

Type of Business Transportation

Name of Applicant Willie B. Johnson, Jr.

Business Location 450 Porche Avenue Hapeville, GA 30354

Suite Number _____

Mailing Address 1008 Middlebrook Drive McDonough, GA 30252

Local Phone Numbers: (_____) _____ Business (678) 669-1894

Fax _____

(_____) _____ Residence (_____) _____

Cellular _____

Email address: wjohnson@coasttocoasttours.com

Federal Tax ID. Number _____

State Tax ID. Number _____

Do You Own or Lease this building? Lease

If Leasing/Renting:
Property Owner (s) Truck Pro, LLC

Mailing Address 1900 Charles Bryan Suite #100 Cordova, TN 38016

Telephone 901-252-4348

Cell Phone/Pager _____

Describe the Primary Function of Business*:

- | | | | |
|--|--|---|--|
| ☐ Agriculture | ☐ Wholesale | ☐ Real Estate | ☐ Health Care |
| ☐ Mining | ☐ Retail | ☐ Professional | ☐ Arts/Entertainment |
| ☐ Utilities | ☒ Transportation/Warehouse | ☐ Management Co. | ☐ Accommodation/Foods |
| ☐ Construction | ☐ Information | ☐ Administrative | ☐ Public Administration |
| ☐ Manufacturing | ☐ Finance/Insurance | ☐ Educational | ☐ Other _____ |

***Please explain the daily functions of the business as indicated above:** Transporting passengers from given locations
provided by the client. Our main client at this time is the military.

Gross Receipts – Gross Receipts from previous calendar year.

Yearly Total Even Dollar Business Receipts: \$ 591,130 Number of employees associated with business? 10
(New businesses, estimate 1 year total) (Minimum of 1 - one)

Certain **Practitioners of Professions** may elect to pay **\$300.00 per practitioner** in lieu paying a tax on gross receipts. If you are eligible, and if you and all members of your firm elect to pay the flat per practitioner tax this year, check below and you will be charged accordingly.

 I ELECT TO PAY A FLAT TAX IN LIEU OF REPORTING GROSS RECEIPTS AND PAYING A TAX BASED ON GROSS RECEIPTS.

Please indicate the number of practitioners next to the appropriate type of professional.

____ Lawyer

____ Optometrist

____ Public accountant

____ Physician

____ Psychologist

____ Embalmer

____ Osteopath

____ Veterinarian

____ Funeral Director

____ Chiropractor

____ Landscape architect

____ Engineers, Civil, Mech., Etc.

____ Podiatrist

____ Land surveyor

____ Architects

____ Dentist

____ Practitioner of physiotherapy

____ Therapist/Counselors

Is business carried on under a trade name other than the one shown? No ☒ Yes ☐

Were you required to obtain a certificate in any other location? No ☐ Yes ☒ If yes, where? Henry County

Name of Business Owners/CEO & Residence Address:

Name	Residence Address	Social Security Number
Willie B. Johnson, Jr.	1008 Middlebrook Dr. McDonough, GA 30252	[REDACTED]

I hereby make application for a renewal of an Occupational Tax Certificate for the City of Hapeville. I do hereby swear or affirm the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that The City of Hapeville reserves the right to enforce any and all ordinances regardless of payment of occupational tax and further that it is my / our responsibility to conform with said ordinances in full. I hereby acknowledge that all requirements shall be adhered to. I agree that should I elect to have a sign at this location, I will make application for a sign permit prior to erecting or placing the same upon the property. I can read the English language and I freely and voluntarily have completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville pursuant to O.C.G.A. 16-10-20

Please verify ALL SECTIONS ARE COMPLETE – any missing information will constitute an incomplete application.

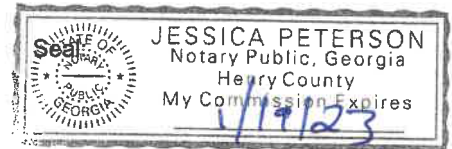
Willie B. Johnson Jr.
Applicant's Signature

Willie B. Johnson, Jr.
Print Name

10/5/2020
Date

[Signature]
Notary Public

10/2/2020
Date



THE ISSUANCE OF A BUSINESS OCCUPATIONAL TAX CERTIFICATE IS NOT TO BE CONSIDERED AS AN APPROVAL OF SAID BUSINESS USE AND IN NO WAY CONFIRMS THAT SAID BUSINESS MEETS THE ZONING OR OTHER REQUIREMENTS OF THE CITY OF HAPEVILLE. FURTHER, ISSUANCE OF AN OCCUPATIONAL TAX CERTIFICATE NEITHER WAIVES NOR PREVENTS THE APPLICABILITY OF ANY LAW OR ORDINANCE. NOR WILL SUCH CERTIFICATE PREVENT THE ENFORCEMENT OF ANY LAW OR ORDINANCE.

*****SEND NO MONEY. YOU WILL BE BILLED FOR THE AMOUNT DUE.*****

For Office Use Only

Certificate# _____

Amt. Due _____

Amt. Paid _____

Date Paid _____

Issued _____

Notes: _____

**Occupational Tax Certificate
Application Form**

Community Service Information

Will this business occupy an existing building/space? Yes ☒ No ☐
Square footage of building/space 7,260 sq ft Will any construction be required to make the building suitable for your business?
Yes ☐ No ☒ If so, please describe the renovations you intend to make _____

What is the estimated cost for the proposed renovations? _____

Will the business operation involve customers visiting the site? Yes ☒ No ☐ If so, how many paved parking spaces do you have on the site? 11 Will you be sharing parking with another business? Yes ☐ No ☒ If so, give the name of the business and type of business _____

Normal hours and days of operation? Monday - Friday/9:00AM to 5:00PM

Prior use of this building/site? Truck maintenance

Business Name Sike Truck Maintenance

What other business activities are operating in this building? We will operate our administrative office, bus parking and maintenance.

What additional business activities other than those described above will take place?

Is anyone living in any portion of the building? Yes ☐ No ☒ If yes, where? _____
How many persons are living in the building? _____

Will there be any signs displayed? Yes ☒ No ☐ If so, how many signs do you anticipate? 1 Describe the sign(s) by square footage? 4 ft x 20 ft - Coast to Coast Tours LLC

Will there be storage of merchandise or other articles stored on the property? Yes ☒ No ☐ If so, what area of the property will be used for storage? The storage area in the office near the bays for repairs.

Will there be any merchandise or other articles displayed for advertising purposes?
Yes ☐ No ☒

Will any activities involve the use of chemicals, machinery or matter of energy that may create or cause to be created, noise, noxious odors or hazards that will endanger the health, safety or welfare of the community? Yes ☐ No ☒

CITY OF HAPEVILLE

EMERGENCY CONTACT FORM

Name of Business Coast to Coast Tours LLC

Business Address 450 Porche Avenue Hapeville, GA 30354

Business Phone 678-705-3965

Business Owner(s) Willie B. Johnson, Jr

Owner's Phone [REDACTED]

Building Owner Truck Pro LLC

Building Owner Phone [REDACTED]

Emergency Contacts

Someone (not including owner of business) who can gain access to the business after normal business hours in case of:
Fire, Burglar Alarm or other Emergency

1. Name Michael Russell
Phone# [REDACTED]

2. Name Gloria Jones
Phone# [REDACTED]

3. Name Vivian Cost
Phone# [REDACTED]

O.C.G.A. § 50-36-1(e) (2) Affidavit

By executing this affidavit under oath, as an applicant for a (n) Transportation Company [type of public benefit], as referenced in O.C.G.A. § 50-36-1, from City of Hapeville, GA [name of government entity], the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) x I am a United States citizen.
- 2) _____ I am a legal permanent resident of the United States.
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

Georgia Driver's License and Social Security Card

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in Hapeville (city), Georgia (state)

Willie B. Johnson Jr
Signature of Applicant

Willie B. Johnson, Jr

Printed name of Applicant

SUBSCRIBED AND SWORN

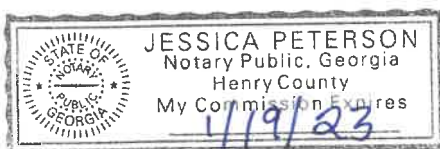
BEFORE ME ON THIS THE

2 DAY OF Oct, 2020

[Signature]
NOTARY PUBLIC

My Commission Expires:

1/19/23



Private Employer Affidavit Pursuant To O.C.G.A. § 36-60-6(d)

By executing this affidavit under oath, the undersigned private employer verifies one of the following with respect to its application for a business license, occupational tax certificate, or other document required to operate a business as referenced in O.C.G.A. § 36-60-6(d):

Section 1. Please check only one:

(A) _____ On January 1st of the below-signed year, the individual, firm, or corporation employed more than ten (10) employees¹.

*** If you select Section 1(A), please fill out Section 2 and then execute below.

(B) x On January 1st of the below-signed year, the individual, firm, or corporation employed ten (10) or fewer employees.

*** If you select Section 1(B), please skip Section 2 and execute below.

Section 2.

The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6. The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as follows:

Name of Private Employer

Federal Work Authorization User Identification Number

Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 201 20 in _____ (city), _____ (state).

Willie B. Johnson Jr
Signature of Authorized Officer or Agent

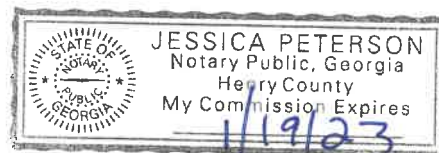
Willie B. Johnson/Owner

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 2 DAY OF Oct , 20 20

[Signature]
NOTARY PUBLIC

My Commission Expires: 1/19/23



¹ To determine the number of employees for purposes of this affidavit, a business must count its total number of employees company-wide, regardless of the city, state, or country in which they are based, working at least 35 hours a week.



OCCUPATIONAL TAX PERMIT

Establishment _____

Contact Person _____

Address _____

Telephone # _____

Zoning: _____

Issue Date: _____

C.O #: _____

Special Conditions: _____

The following signatures are required prior to obtaining a license

Planning & Zoning Manager	404-669-2120	_____
Fire Department	404-766-4399	_____
Building Inspector	404-669-2120	_____
Permits, Inspections & Certificate of Occupancy	404-669-2120	_____
Occupation Tax Clerk	404-669-2104	_____
Code Enforcement	404-669-2123	_____
Police Department	404-669-2153	_____

